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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THOMAS A. WUNDERLICH, individually,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendants.

CASE NO.: 2:21-cv-00486-JAD-EJY

STIPULATION AND ORDER TO CONTINUE JOINT PRETRIAL ORDER DEADLINE
(THIRD REQUEST TO EXTEND DEADLINE FOR JOINT PRETRIAL ORDER)

Plaintiff THOMAS A. WUNDERLICH, through his counsel The Cottle Firm, Defendants STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY (hereinafter “Defendant”), through their counsel Sean D. Cooney, Esq., of Carmen Cooney, Forbush, PLLC, pursuant to Local Rule IA 6-1 and 26-3 hereby stipulate and agree to a sixty (60) day extension of the deadline to file the Joint Pretrial Order. This is the third request for an extension of the Pretrial Order and is entered in good faith without any intent to delay.

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1 **A. EXTENSION OF DEADLINE TO FILE JOINT PRETRIAL ORDER:**

2 The parties are seeking to extend the deadline to file the Joint Pretrial Order to March 7, 2024.

3 **B. REASON WHY THIS STIPULATION IS NEEDED:**

4 At the end of 2023, a partner at Carman Cooney Forbush, Benjamin Carman, left the firm. Due to
5 conflicts, he could not take any of his cases with him and those cases were redistributed. Trial counsel for
6 State Farm in this matter already has one case set to start on February 5, 2024, and inherited two cases from
7 Mr. Carman which also have trial dates in early February.
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9 Additionally, Counsel for the plaintiff, Matthew Minucci, had to travel to New York City for a
10 funeral and has a trial of his own set to start on February 6, 2024, in the Eighth Judicial District. These
11 circumstances meant that counsel could not dedicate the time necessary to prepare the joint pretrial order.
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13 Finally, the parties are currently engaging in settlement negotiations. An important person with
14 State Farm for settlement purposes announced on December 12, 2023, that he was leaving the company,
15 and his replacement was not known until just before the new year. This impeded the settlement
16 negotiations, which are ongoing.
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18 **C. REASON WHY JOINT PRETRIAL ORDER WAS NOT COMPLETED:**

19 The parties are extending the deadline to file the Joint Pretrial Order due unusual circumstances at
20 the office of counsel for Defendant, several upcoming trial, and ongoing settlement negotiations. If the
21 parties are unable to resolve this case an extension would allow sufficient time for the parties to meet and
22 confer regarding stipulated exhibits, witnesses and other matters in relation to the trial. The parties submit
23 these reasons constitute good cause under LR 26-3 for the extension.
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1 This Stipulation is made in good faith and not for the purpose of delay.

2 DATED this 4th day of January, 2024.

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4 **THE COTTLE FIRM**

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17 **IT IS SO ORDERED.**

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19 UNITED STATES MAGISTRATE JUDGE

20 DATED: January 5, 2024
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